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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,362	11/15/2001	Hisashi Kugimoto	CU-2720 RJS	4660
26530	7590	10/05/2004	EXAMINER	
LADAS & PARRY LLP 224 SOUTH MICHIGAN AVENUE SUITE 1200 CHICAGO, IL 60604			DICUS, TAMRA	
			ART UNIT	PAPER NUMBER
			1774	

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/003,362

Applicant(s)

KUGIMOTO, HISASHI

Examiner

Tamra L. Dicus

Art Unit

1774

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 1774

DETAILED ACTION

The rejections are withdrawn due to applicant's amendments and arguments.

Claim Objections

1. Claim 6 is objected to because of the following informalities: "seperable" is misspelled.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Instant claim 2 recites "an adhesive strength is from 0.4 to 2.3 N / 25mm". It is not clear what the interface the adhesive strength refers to. Typically "adhesive strength" refers to the strength between layers, relative to an adhesive layer and the layer that it is bonded to.

Clarification is requested.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Art Unit: 1774

5. Claims 1-2, and 4-6 are rejected under 35 U.S.C. 102(e) as being anticipated by USPN 6,266,166 to Katsumata et al.
6. Katsumata teaches an acrylic or PVC base support film (1) and transparent substrate of acrylic (6) which both layers are adhered via a self-adhesive of polyolefin resin (2) that releases from the acrylic support (equivalent to Applicant's limitation "adhesive being separable allowing said protection film to be releasably separable from base sheet") used in the field of optical elements. See col. 1, lines 15-19, col. 6, lines 40-63, col. 7, lines 60-68, col. 9, lines 18-59, and Figures 1 and 3. Regarding instant claim 2, to the adhesive strength between 0.4 to 2.3 N/25 mm (40.1-2300 g/25 mm), at col. 9, lines 17-25, Katsumata teaches the adhesive peel strength is from 5 to 300 g/25 mm, which falls within Applicant's range of 40.1 to 2300 g/25 mm. The same structure, materials, and adhesive property are taught, thus while Katsumata does not teach the 82% transmittance of UV rays having a wavelength of 320 nm through the protection film, such property is inherent.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 1774

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 6,266,166 to Katsumata et al. in view of 6,489,266 to Kurokawa et al. (6,489,266),

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Katsumata is relied upon above. Katsumata concerns centered on photographing holograms and methods of image formation. Katsumata does not teach a surface of the base sheet has an antistatic agent containing a cationic surface active agent having a surface resistivity after one year of 10^{12} Omega/square or less. Kurokawa explains there has been a growing demand for hard copies of color images in photographic technology (col. 1, lines 14-16). The invention of Kurokawa involves producing image-receiving sheets for holograms. Figure 2 illustrates a hologram 2a layer, an acrylic 4 layer, and an receptor layer 5 with antistatic and cationic agents such as a quaternary ammonium salt and polyamine derivative (col. 5, lines 58-65). Kurokawa explains the receptor layer 5 functions as a layer which receives heat fusible ink transferred from a thermal transfer sheet and carries the image formed (col. 5, lines 1-5). It would have been obvious to one of ordinary skill in the art to have modified the film of Katsumata to include an antistatic and cationic agent layer over acrylic because Kurokawa teaches one would employ this configuration and materials in order to form an image for holograms (col. 1, lines 14-16, col. 3, lines 49-50, col. 4, line 30, and col. 5, lines 1-5 and 58-65 of Kurokawa). Additionally, it would have been obvious to include a surface resistivity value as claimed to provide electroconductivity as the same materials are employed. The surface resistivity and its value given add no positive recitation to the claim as this appears only to occur "after one year". ~~These phrases add nothing to the claim.~~

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Response to Arguments

9. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tamra L. Dicus whose telephone number is 571-272-1519. The examiner can normally be reached on Monday-Friday, 7:00-4:30 p.m., alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on 571-272-3186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Art Unit: 1774

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Tamra L. Dicus
Examiner
Art Unit 1774

September 15, 2004



RENA DYE
SUPERVISORY PATENT EXAMINER
A.U. 1774
9/1/04